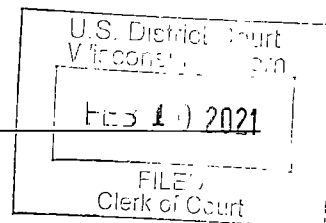


# COMPLAINT

(for non-prisoner filers without lawyers)

## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN



(Full name of plaintiff(s))

Beau James Ellenbecker

v.

(Full name of defendant(s))

Bark Entertainment LLC a/k/a Skyline Comedy Club

Case Number:

**21-C-0162**

(to be supplied by Clerk of Court)

### A. PARTIES

1. Plaintiff is a citizen of Wisconsin and resides at  
(State)

P.O. Box 7381 Appleton, WI 54912

(Address)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant Bark Entertainment LLC a/k/a Skyline Comedy Club

(Name)

is (if a person or private corporation) a citizen of Wisconsin  
(State, if known)  
and (if a person) resides at 1004 S. Olde Oneida St., Appleton, WI 54915  
(Address, if known)  
and (if the defendant harmed you while doing the defendant's job)  
worked for Bark Entertainment LLC 1004 S. Olde Oneida St. Appleton, WI 54915  
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

**B. STATEMENT OF CLAIM**

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

I interviewed for a phone representative position with the defendant on or around the  
2nd full week of Nov. 2019 with GM Bridget. During my interview, GM was made aware  
of my physical disability, due to having 2 herniated discs, and a pinched S1 nerve root.  
The defendant owns 4 comedy clubs throughout the U.S. (2 in Washington State, 1 in  
Wisconsin, and 1 in Oklahoma). I was trained to do phone support for their Wisconsin  
and Oklahoma clubs. I was not trained to do phone support for their Washington clubs.

Towards the beginning of December 2019, upper management in WA reached out via  
group text thread, requesting that they needed someone to pick up a night shift on Dec.  
14, 2019 for their 2 WA clubs. I volunteered, expecting upper management to confirm

that was ok, as I was not trained to do phone support for those 2 clubs. When upper management chose not to confirm that it would be ok, I did not show up for the Dec 14th shift. On Dec. 15, 2019, when I went in for my normally scheduled shift, I was written up for a "no call no show". That meeting happened in Bridget's office, which is under video surveillance. After being written up, I asked to go home because I was in pain due to disability flaring up. I was told, "if you need to leave, you will not have a job tomorrow", so I didn't leave. I went back to my desk, which was also under video surveillance, and struggled to finish my shift.

When Waking up on Dec 16th to get ready for work, I was in even more pain. I texted Bridget that I would not be in due to my back being worse than the day before. After Bridget texted back that, "it's ok. I'll find someone to cover your shift", within an hour, I received an email from Renee Fandt (HR Director/owner in WA) stating that I was fired.

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐ I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ \_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

I was discriminated against, due to my physical disability. That entitles me to backpay retroactive from the day I was fir3ed, to the day this case is resolved. I also ask that my job be reinstated, at the same rate of pay and hours, that I was working in 2019. Should the employer refuse to reinstate my job, I'm requesting an additional years worth of pay, to compensate the retaliation the employer would be conducting.

E. JURY DEMAND

I want a jury to hear my case.

☒ – YES ☐ – NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 9th day of February 2021.

Respectfully Submitted,

\_\_\_\_\_  
Signature of Plaintiff

715-451-5857

\_\_\_\_\_  
Plaintiff's Telephone Number

beauellenbecker01@gmail.com

\_\_\_\_\_  
Plaintiff's Email Address

P.O. Box 7381

Appleton, WI 54912

\_\_\_\_\_  
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE**

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Filing Fee form and have attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.